

9-7-B. Part C, Underground Injection Control: Findings of Violation and Notification (1200 TN 350 9-7B)

1. **AUTHORITY.** To perform the following functions relating to enforcement pursuant to the Safe Drinking Water Act (SDWA), Part C, Underground Injection Control Program:
 - a. Pursuant to Section 1423(a)(1) of the SDWA, finding that a person is violating a requirement of an applicable underground injection control program during a period in which a State has primary enforcement responsibility for underground water sources, and notifying the primacy State and persons violating an underground injection control program requirement of such a finding; and
 - b. Pursuant to Section 1423(a)(2) of the SDWA, finding that a person is violating a requirement of an applicable underground injection control program during a period in which a State does not have primary enforcement responsibility for underground water sources.
2. **TO WHOM DELEGATED.** Director, Enforcement and Compliance Assurance Division (ECAD); Chief, Water Branch, ECAD; and Chief, SDWA and Wetlands Section, ECAD.
3. **LIMITATIONS.** The delegates must consult with the Regional Counsel before exercising these authorities.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may be redelegated to the section chief level and no further. These authorities may not be redelegated without formal amendment.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. See delegations:
 - i. 9-16-A, "Civil Judicial Enforcement Actions";
 - ii. 9-17, "Emergency Administrative Powers"; and
 - iii. 9-34, "Administrative Penalties and Compliance Orders with Administrative Penalties—Underground Injection."
 - b. EPA Guidance on UIC Administrative Order Procedures.
6. **SUPERSESSION.** Delegations Manual, SDWA, Regional Delegation 9-7-B. Finding and Notification of Violation – Part C, 12000 TN RIII 192 (January 18, 2017).

Date: APR 15 2019
Cosmo Servidio
Regional Administrator